



City of Tigard

## Tigard Workshop Meeting – Agenda

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**TIGARD CITY COUNCIL & CITY CENTER  
DEVELOPMENT AGENCY**

**MEETING DATE AND TIME:**

August 20, 2013 - 6:30 p.m.

**MEETING LOCATION:**

City of Tigard - Town Hall - 13125 SW Hall Blvd.,  
Tigard, OR 97223

**PUBLIC NOTICE:**

Times noted are estimated.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

**VIEW LIVE VIDEO STREAMING ONLINE:**

<http://live.tigard-or.gov>

**Workshop meetings are cablecast on Tualatin Valley Community TV as follows:**

**Replay Schedule for Tigard City Council Workshop Meetings - Channel 28**

- Every Sunday at 7 a.m.
- Every Monday at 1 p.m.
- Every Wednesday at 2 p.m.
- Every Thursday at 12 p.m.
- Every Friday at 3 p.m.

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SEE ATTACHED AGENDA



City of Tigard

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**MEETING DATE AND TIME:**

August 20, 2013 - 6:30 p.m.

**MEETING LOCATION:**

City of Tigard - Town Hall - 13125 SW Hall Blvd.,  
Tigard, OR 97223

6:30 PM

- EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

1. WORKSHOP MEETING

- A. Call to Order- City Council & City Center Development Agency
- B. Roll Call
- C. Pledge of Allegiance
- D. Council Communications & Liaison Reports
- E. Call to Council and Staff for Non-Agenda Items

2. BRIEFING ON CAPITAL IMPROVEMENT PLAN (CIP) PROJECTS **6:35 pm estimated time**

3. DISCUSSION ON CAPITAL IMPROVEMENT PROGRAM PROJECT PRIORITIZATION **6:50 pm estimated time**

4. RECEIVE BRIEFING ON A REQUEST TO ABANDON LOCAL IMPROVEMENT DISTRICT (LID) NO. 1 **7:35 pm estimated time**

5. BRIEFING ON AN INTERGOVERNMENTAL AGREEMENT TO PROVIDE SEWER SERVICE TO RIVER TERRACE **7:45 pm estimated time**

6. DISCUSSION ON TOPICS FOR UPCOMING COMMUNITY SURVEY **7:55 pm estimated time**

Convene City Center Development Agency

7. CONSIDER A RESOLUTION AWARDED A TARGETED IMPROVEMENT PROGRAM MATCHING GRANT **8:20 pm estimated time**

- EXECUTIVE SESSION: The Tigard City Center Development Agency will go into Executive Session to discuss real property negotiations under ORS 192.660(2) (e). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public. **8:40 pm estimated time**

8. NON AGENDA ITEMS

9. COUNCIL LIAISON REPORTS

10. ADJOURNMENT **9:00 pm estimated time**

AIS-1237

2.

**Workshop Meeting**

**Meeting Date:** 08/20/2013

**Length (in minutes):** 15 Minutes

**Agenda Title:** Briefing on Capital Improvement Plan (CIP) Projects

**Prepared For:** Mike Stone

**Submitted By:** Greer Gaston, Public Works

**Item Type:** Update, Discussion, Direct Staff

**Meeting Type:** Council Workshop Mtg.

**Public Hearing:** No

**Publication Date:**

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**Information**

**ISSUE**

The council will be briefed on the status of CIP projects at the close of the 2012-2013 fiscal year.

**STAFF RECOMMENDATION / ACTION REQUEST**

No action is requested; the council is asked to listen to the briefing and provide feedback on any additional information it would like to receive in future updates.

**KEY FACTS AND INFORMATION SUMMARY**

In order to keep the council informed on the status of CIP projects, staff provides regular project briefings. At this meeting, staff will update the council on the status of CIP projects at the close of fiscal year 2012-2013.

Selected projects may be discussed in more detail.

**OTHER ALTERNATIVES**

Not applicable

**COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

None

**DATES OF PREVIOUS COUNCIL CONSIDERATION**

Staff provides the council with regular briefings on the status of CIP projects.

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**Attachments**

CIP Project Status Report for the Fourth Quarter of Fiscal Year 2012-2013

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CIP PROJECT STATUS REPORT  
Fourth Quarter - Ending 6/30/13  
*Projects performed by the Public Works Department, Engineering Division*

Status Codes:  
D = Design, C = Construction, S = Study, M = Wetland Monitoring  
√ = Completed (Waiting Certificate of Completion)

Project Name	Status	Project No.	Funding Number	Funding Source	ROW Esm't Req'd	Permits Required	Consultant/ Contractor	FY 12-13 Budgeted Amount	FY 12-13 Spent to Date	Overall Percent Completion	Remarks
STREETS											
Pavement Management Program (Overlay)	√	95001	412	Street Maintenance	No	No	Baker Rock	\$1,730,000	\$1,662,550	100%	- All 12/13 work completed - 13/14 construction completed
Pavement Management Program (Crack Seal)							CR Contracting				
Pavement Management Program (Slurry Seal)							Blackline				
Citywide Pedestrian & Cyclist Improvements	D	95027	200	Gas Tax	ROW Esm't	No	Murry, Smith & Assoc.	\$141,000	\$17,809	10%	60% Design plans completed
Pacific Highway/Gaarde Street/McDonald Street Improvements	D	95033	405	Transportation Development Tax	ROW Esm't	CWS	WH Pacific	\$242,265	\$221,121	25%	- 60% Design plans completed (on hold) - R/W & Easements acquisition underway - Bid 1/14 - Completion 12/14
			IGA	ODOT/OTIA							
72nd Avenue/Dartmouth Intersection Improvement	D	95035	410	Traffic Impact Fees	ROW Esm't	CWS/ DSL/ Corps	Epic Land Solutions/ WH Pacific	\$1,405,000	\$116,963	25%	- 60% Design plans completed - R/W & Easements acquisition underway - Bid 1/14 - Completion 9/14
			200	Gas Tax							
92nd Avenue Sidewalk (Waverly Drive to Cook Park)	C	95037	200	Gas Tax	ROW Esm't	DSL/ CWS/ Corps	CES NW/ Hanna McEldowney	\$490,000	\$127,073	50%	- 100% Design plans completed - R/W & Easements acquisition underway - Bid 7/23/13 - Completion 11/13
			510	Stormwater							



# CIP PROJECT STATUS REPORT

## Fourth Quarter - Ending 6/30/13

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STREETS											
Main Street/Green Street Retrofit Phase 1	D	97003	200	Gas Tax	ROW Esm't	CWS/ ODOT	OBEC/ HHPR/ Barney & Worth	\$1,295,484	\$302,690	50%	<ul style="list-style-type: none"><li>- 100% Design plans completed</li><li>- R/W, Easements &amp; Permits acquired</li><li>- Bid 9/26/13</li><li>- Completion 1/1/15</li></ul>
			530	Water							
			IGA	Major Streets Transportation Improvement Program (MSTIP)							
			IGA	Metropolitan Transportation Improvement Program							



# CIP PROJECT STATUS REPORT

## Fourth Quarter - Ending 6/30/13

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Project Name	Status	Project No.	Funding Number	Funding Source	ROW Esm't Req'd	Permits Required	Consultant/ Contractor	FY 12-13 Budgeted Amount	FY 12-13 Spent to Date	Overall Percent Completion	Remarks
PARKS											
East Butte Heritage Park	C	92003	421	Parks Bond	ROW Esm't	CWS	Westlake Consulting/ Walter Knapp & Associates/ Da Neal Construction	\$523,750	\$245,682	75%	<ul style="list-style-type: none"><li>- Design plans completed</li><li>- R/W, Easements &amp; Acquisitions completed</li><li>- Permits acquired</li><li>- Awarded 6/11/13</li><li>- Completion 9/13</li></ul>
			425	Parks SDC							
			TBD	TBD							
Fanno Creek House	C	92006	421	Parks Bond	N/A	CWS	Casserly Landscaping	\$65,000	\$121,494	90%	<ul style="list-style-type: none"><li>- Scope of project increased</li><li>- Design plans completed</li><li>- R/W, Easements &amp; Acquisitions completed</li><li>- Permits acquired</li><li>- Budget adjustment 4/13</li><li>- Awarded 6/11/13</li><li>- Completion 8/30/13</li></ul>
Dirksen Nature Park (Summer Creek Park)	S	92016	421	Parks Bond	ROW	CWS/ COT	WH Pacific/ Ash Creek Forest Mgmt.	\$400,000	\$84,302	25%	<ul style="list-style-type: none"><li>- 50% Master plan completed</li><li>- Permits in process</li><li>- Bid TBD</li><li>- Completion TBD</li></ul>
Tree Canopy Replacement Program	C	92017	260	Urban Forestry	N/A	N/A	Mears Design Group/Casserly Landscaping	\$125,000	\$35,000	N/A	<ul style="list-style-type: none"><li>- Tree Planting &amp; Maintenance</li><li>- Full amount was not programmed due to loss of arborist</li></ul>
Sunrise Park	D	92020	421	Parks Bond	ROW Esm't	CWS/ COT	OTAK/ Conservation Techniques	\$445,000	\$34,192	10%	<ul style="list-style-type: none"><li>- Predesign conceptual plans completed</li><li>- Being reviewed by staff</li><li>- Permits TBD</li><li>- Bids TBD</li><li>- Completion TBD</li></ul>
Jack Park	C	92022	421	Parks Bond	ROW Esm't	CWS/ COT	Green Thumb	\$335,000	\$69,760	50%	<ul style="list-style-type: none"><li>- Design plans completed</li><li>- Permits acquired</li><li>- Awarded 7/9/13</li><li>- Completion 12/31/13</li></ul>



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## Fourth Quarter - Ending 6/30/13

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PARKS											
Fanno Creek Trail Main Street to Grant Avenue	C	92024	425	Parks SDC	ROW Esm't	CWS/ DSL/ Corps	Greg Schroeder Enterprises (GSE)	\$339,250	\$34,971	50%	<ul style="list-style-type: none"><li>- Design plans completed</li><li>- Permits acquired</li><li>- R/W &amp; Easements acquisition completed</li><li>- Award 7/23/13</li><li>- Completion 12/1/13</li></ul>
			421	Parks Bond							
			210	Stormwater							
			500	Sanitary Sewer							
				Metro Greenspace							
				TBD							
Park Land Acquisition	S	92026	425	Parks SDC	ROW	N/A	Conservation Techniques	\$4,550,000	\$2,350,000	50%	Additional properties under study
			421	Parks Bond							
Downtown Land Acquisition	S	92028	421	Parks Bond	ROW	N/A	TBD	\$1,360,000	\$0	0%	TBD
Downtown Park Improvements	S	92029	421	Parks Bond	ROW Esm't	CWS/ COT	TBD	\$336,628	\$0	0%	TBD
Tigard Street Trail	D	92034	421	Parks Bond	ROW/ IGA	CWS/ COT/ ODOT Rail	CES NW/ Walker Macy	\$125,000	\$5,054	25%	<ul style="list-style-type: none"><li>- Preliminary concept plan completed</li><li>- Boundary/topographic survey completed</li><li>- Draft IGA under review</li><li>- Award TBD</li><li>- Completion TBD</li></ul>
COT-TTSD Park Development Partnership	S	92035	421	Parks Bond	ROW/ IGA	CWS/ COT	TBD	\$156,000	\$0	0%	TBD
Damaged Tree Replacement Program	S	92037	421	Parks Bond	N/A	COT	N/A	\$25,000	\$5,000	0%	Program is being developed by Parks Department in the absence of an arborist





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WATER											
Water Meter Replacement Program	C	96003	530	Water	N/A	N/A	N/A	\$200,000	\$76,111	25%	Ongoing program to replace older meters
Water Main Line Oversizing	S	96008	532	Water CIP	ROW Esm't	N/A	TBD	\$80,000	\$0	0%	Ongoing program to upsize existing water lines as reflected in the water master plan in conjunction with public/private infrastructure
Aquifer Storage & Recovery Well #3	S	96010	532	Water CIP	ROW Esm't	CWS/ COT	Murry, Smith & Assoc.	\$2,880,000	\$36,251	5%	Project definition underway to determine project scope & specific needs
Lake Oswego - Tigard Water Partnership	C	96018	532	Water CIP	ROW Esm't IGA	COT/ COLO/ COWL	Various	\$16,771,500	\$7,461,988	40%	While some aspects of the project remain in design, significant construction contracts (intakes & treatment plant) have been awarded while this work continues
Water Line Replacement Program	D	96024	530	Water	ROW Esm't	COT/ DSL	NLV Services/ Vigil-Agrimis	\$140,000	\$11,780	25%	The Johnson Street waterline extension (#96032 in FY 13/14 CIP) was identified as a project to eliminate (2) dead end lines. It is being included in #93010 for FY 13/14
Fire Hydrant Replacement Program	C	96028	530	Water	N/A	N/A	N/A	\$100,000	\$94,141	90%	Ongoing program to replace older fire hydrants
Main Street Waterline Replacement	D	96029	532	Water CIP	ROW Esm't	CWS/ ODOT	HHPR/COT	\$420,000	\$29,844	50%	- Design completed - Permitting completed - Bid 9/26/13 - Completion 11/1/14
Pipeline Connecting 550 Zone to 530 Zone	S	96030	532	Water CIP	ROW Esm't	CWS/ COT/ Wash Co	TBD	\$1,305,000	\$0	0%	On hold pending further study
Annual Fire Flow Improvement Program	S	96031	532	Water CIP	ROW Esm't	COT/ Wash Co	TBD	\$100,000	\$1,500	5%	Ongoing program to study & implement additional water projects to improve fire flows within Tigard



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SANITARY SEWER											
Citywide Sanitary Sewer Extension Program	S	93002	500	Sanitary Sewer	ROW Esm't	CWS/ COT	TBD	\$212,500	\$1,765	0%	Ongoing program to upsize existing sanitary sewer lines as reflected in the sanitary sewer master plan in conjunction with public/private infrastructure
Sanitary Sewer Major Maintenance Program	C	93003	500	Sanitary Sewer	N/A	CWS/ COT/ DSL/ Corps	TBD	\$102,000	\$17,027	20%	Ongoing program to address <b>major</b> system maintenance/replacement/repair as determined by field crews or TV inspections (Red Rock Creek)
Fanno Creek Slope Stabilization (Arthur Court)	D	93009	500	Sanitary Sewer	ROW Esm't	CWS/ DSL	AMEC Earth & Environmental	\$540,736	\$63,868	40%	- Design complete - Permitting 50% complete - Bid 3/14 - Completion 6/14
Main Street Sewer/ Fanno Creek Crossing Elimination	D	93011	500	Sanitary Sewer	N/A	CWS	OBEC/ Westlake Consultants	\$206,000	\$51,883	50%	- Design complete - Permitting 50% complete - R/W 50 % complete - Bid 10/13 - Completion 1/14
128thAvenue/Shore Drive Sewer Replacement	S	93012	500	Sanitary Sewer	ROW Esm't	CWS/ DSL	CES NW	\$751,485	\$5,491	10%	- Boundary & topographic survey completed - Re-alignment alternatives being developed - Bid TBD - Completion TBD
East Tigard Sewer Replacement	S	93013	500	Sanitary Sewer	ROW Esm't	CWS/ DSL	CES NW	\$196,500	\$5,524	10%	- Boundary & topographic survey completed - Re-alignment alternatives being developed - Bid TBD - Completion TBD
Benchview Creek Sewer Stabilization	D	93014	511	Water Quality/Quantity	ROW	CWS/ DSL/ Corps	AMEC Earth & Environmental	\$658,167	\$545,513	15%	- Preliminary studies completed - R/W Acquired - Scoping for final design & construction upstream - Bid 3/14 - Completion 10/14



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SANITARY SEWER											
Sewer Rehabilitation Program	S	93016	500	Sanitary Sewer	ROW Esm't	CWS/ COT	TBD	\$305,000	\$0	0%	Ongoing program to address <u>minor</u> system maintenance/replacement/repair as determined by field crews or TV inspections
			XXX	Clean Water Services							
Tree Planting Summer Creek (121st Avenue to Mary Woodward Elementary)		94020	500	Sanitary Sewer	N/A	N/A	COT	\$44,000	\$17,928	90%	Design and installation of riparian restoration sites at Fanno Creek House, Ash Creek, Colony Creek, and Fanno Creek Trail



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STORM SEWER											
Storm Drainage Major Maintenance	C	94001	510	Stormwater	ROW Esm't	CWS/ COT	TBD	\$50,000	\$18,868	40%	Ongoing program to address major system maintenance/replacement/repair as determined by field crews or TV inspections
Culvert Improvements - Walnut Street (Derry Dell /Fanno Creek	D	94011	510	Stormwater	ROW Esm't	CWS/ COT	NLV Services/ Vigil-Agrimis	\$141,807	\$70,602	40%	- Design 90% complete - Permitting 50% complete - R/W 50 % complete - Bid 3/14 - Completion 12/14
Copper Creek Bank Stabilization	D	94022	510	Stormwater	ROW Esm't	CWS/ COT	AMEC Earth & Environmental	\$140,000	\$23,782	40%	- Design 90% complete - Permitting 50% complete - Bid 3/14 - Completion 6/14
CITY FACILITIES											
Permit Center/Police/City Hall Exterior Walls	D	91013	100	General	N/A	COT	LRS Architects	\$180,398	\$48,610	40%	- Confirmation of earlier testing complete - Scoping for repair recommendations underway
Future Campus Parking	S	91016	100	General	ROW Esm't	COT	TBD	\$194,200	\$0	0%	Project on hold due to much higher than anticipated R/W costs
City Hall Roof Repair	✓	91017	400	Facilities Capital Projects	N/A	COT	COT	\$50,000	\$28,864	100%	City of Tigard staff purchased the material and completed the recoating of the roof in May 2013

**Workshop Meeting****Meeting Date:** 08/20/2013**Length (in minutes):** 45 Minutes**Agenda Title:** Capital Improvement Program Project Prioritization**Prepared For:** Carissa Collins**Submitted By:** Carissa Collins, Financial and Information Services**Item Type:** Update, Discussion, Direct Staff**Meeting Type:** Council Workshop Mtg.**Public Hearing:** No**Publication Date:****Information****ISSUE**

Staff is beginning development of the city's Capital Improvement Program for FY 2015-19. Council has expressed a desire to be involved in the CIP prioritization process. Staff will propose a process for Council involvement in the CIP prioritization and would like direction from council regarding the proposed process.

**STAFF RECOMMENDATION / ACTION REQUEST**

Staff requests direction from Council regarding how they will participate in the prioritization process

**KEY FACTS AND INFORMATION SUMMARY**

During the last budget cycle, Council expressed a desire to be involved in the prioritization process for Capital Improvement Plan (CIP). Council already has two times to make budgeting decisions on the CIP as members of the Budget Committee and finally as Council in adopting the budget.

Prioritization is different than budgeting. It involves making a statement of what is important to the city, blind of funding. Using the city's priorities, budgeting then attempts to match the available resources to the city's priorities. Further, priorities are important when new funding sources are sought or become available that can be matched against unfunded, high-priority projects.

Council involvement in the CIP prioritization process poses the following challenges:

1. Prioritization is a time consuming process. Last year, staff and citizen committees prioritized over sixty projects during several hours of meetings.
2. Council time is limited and valuable. Two hours has been scheduled for the November workshop for Council involvement in CIP prioritization. It will not be possible to describe all projects and have a robust discussion in two hours.
3. When several parties are involved in the prioritization process, relative weights should be allocated to the rankings of the parties. The current process gives equal weight to each party (staff and citizen advisory boards).

To meet these challenges, staff is recommending the following process:

1. Limit Council prioritization to the systems of highest interest. Council does not appear to have high interest in sewer, stormwater, and water system projects (with the exception of LO/Tigard Water Partnership). To make the best use of Council time, staff recommends Council prioritization of transportation, parks, and facility projects.
2. Prior to the November workshop, staff will provide a written summary of each project that is being considered for prioritization.
3. During the workshop, staff will provide a brief presentation for each project. Staff will provide Council with a blank "score-sheet" for council members to take notes.
4. After the workshop, each council member will take the score-sheet home to consider the projects and provide their top 5 priority projects in each of the three systems: transportation, parks, and facilities.

5. The individual prioritizations will be collected and tallied to develop the overall priorities for City Council. These will be presented to City Council in a Thursday Newsletter to provide an opportunity to comment and determine if additional discussion is needed.
6. Staff is recommending that the final priorities of City Council be weighted equally with the priorities of staff and volunteer citizen advisory boards with each group having a 1/3rd weighting to the City's priorities. Ultimately, Council has the final say in the CIP during the budgeting process.

#### **OTHER ALTERNATIVES**

Council can choose to have differing levels of involvement in the CIP prioritization process

#### **COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

#### **DATES OF PREVIOUS COUNCIL CONSIDERATION**

N/A

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#### **Attachments**

*No file(s) attached.*

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**Workshop Meeting****Meeting Date:** 08/20/2013**Length (in minutes):** 10 Minutes**Agenda Title:** Briefing on a Request to Abandon Local Improvement District (LID) No. 1**Prepared For:** Mike Stone**Submitted By:** Greer Gaston, Public Works**Item Type:** Update, Discussion, Direct Staff**Meeting Type:** Council Workshop Mtg.**Public Hearing:** No**Publication Date:****Information****ISSUE**

Does the council wish to formally consider abandonment of LID No. 1 at a future meeting?

**STAFF RECOMMENDATION / ACTION REQUEST**

Staff recommends the council:

- Elects not to abandon the LID.
- Directs LID No. 1 improvements be constructed as soon as practicable.

**KEY FACTS AND INFORMATION SUMMARY**

A local improvement district (LID) is a process wherein private property owners access public financing for the construction of defined public infrastructure which has or will be conditioned upon the development of their properties. Improvements are typically financed by the city issuing bonds with 10-year payback period.

Planned improvements under LID No. 1 include the construction of roadway improvements (street, sidewalks etc.) along portions of Dartmouth Street, 68th Parkway and 69th Avenue in the Tigard Triangle.

LIDs are typically formed/abandoned on a partition basis with 66 2/3 percent of the property owners carrying the affirmative. Voting percentages can be made based on area, size or front-footage as deemed appropriate and fair.

LID No. 1 was formed in 2008 to provide necessary and proportional infrastructure improvements to the district (see attached map) due to the continuing and planned development within the Tigard Triangle. In fact, the need to complete these improvements was deemed so necessary, that the LID was formed under the provisions of an emergency, presumably meaning that they were to be completed as soon as possible.

Despite these efforts, the economy suddenly 'turned,' and the anticipated development did not continue or materialize at the anticipated speed. Although there was limited work completed in association with right-of-way acquisition, meaningful work on completion of the design and associated construction drawings never materialized. Since that time the LID remains in place with improvements yet to be constructed.

In the fall of 2012, staff was contacted by one of the LID participants, Jack Kearney, regarding the status of the LID. Mr. Kearney owns the Dartmouth Townhomes properties. He said that despite the emergency under which the LID was formed, no meaningful work was accomplished since its formation. Subsequently, staff sent a letter to the LID participants of record inquiring about their support of the LID. Of the 18 properties involved, staff received written responses from Mr. Kearney, Nadri/Salarie and Coon/Olsen (who are OUTSIDE the LID boundary) to abandon the LID and one verbal response from Specht to keep it in place. Specht controls/owns 10 of the 18 parcels in the LID. Staff notified Mr. Kearney that the majority of the LID property owners elected to have the LID remain in place.

Mr. Kearney continues to press for abandonment; this is the reason this issue has been brought before the council.

With the continued planning efforts currently underway and the upswing in development activities within the Tigard Triangle, staff anticipates there will be significant increases in vehicular, bike and pedestrian activity in the planning area as a result of development.

If the council elects to formally consider abandoning LID No. 1, staff will schedule a public hearing at an upcoming council meeting.

#### **OTHER ALTERNATIVES**

Not applicable

#### **COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

The planned LID improvements are consistent with the provisions of the 2035 Transportation System Plan adopted by the council in 2010.

#### **DATES OF PREVIOUS COUNCIL CONSIDERATION**

This is the first time abandonment of the LID has come before the council.

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#### **Attachments**

Map of LID No. 1

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[illegible]

AIS-1358

5.

**Workshop Meeting**

**Meeting Date:** 08/20/2013

**Length (in minutes):** 10 Minutes

**Agenda Title:** Briefing on an Intergovernmental Agreement to Provide Sewer Service to River Terrace

**Prepared For:** Rob Murchison

**Submitted By:** Kristie Peerman,  
Public Works

**Item Type:** Update, Discussion, Direct Staff

**Meeting Type:** Council Workshop Mtg.

**Public Hearing** No

**Newspaper Legal Ad Required?:**

**Public Hearing Publication**

**Date in Newspaper:**

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**Information**

**ISSUE**

Briefing on an intergovernmental agreement (IGA) with Clean Water Services (CWS) and the City of Beaverton regarding the design and construction of a sewer project to serve River Terrace.

**STAFF RECOMMENDATION / ACTION REQUEST**

No formal action is requested; the council will be asked to formally consider the IGA on its consent agenda at an upcoming meeting.

**KEY FACTS AND INFORMATION SUMMARY**

Washington County plans to reconstruct and widen the section of Scholls Ferry Road from Roy Rogers Road to the Walnut Street/Murray Road intersection.

CWS, the City of Beaverton and the City of Tigard need to install approximately 2,000 feet of sewer line under a section of Scholls Ferry Road from Roy Rogers Road to Barrows Road. This sewer project will eventually become part of the system that will provide sewer service to River Terrace and to South Cooper Mountain.

Washington County's project area for roadwork overlaps the project area for the sewer line.

The attached IGA—between CWS, Beaverton and Tigard—outlines each parties' responsibilities as follows:

- CWS will pay the county to construct the sewer line. (CWS has a separate agreement with Washington County to construct the project.)
- The City of Beaverton will design the project and manage construction.
- The Cities of Beaverton and Tigard will reimburse CWS for their portion of the construction and design costs.

The IGA is in draft form; it is currently being reviewed by each parties' legal counsel.

The council will be asked to formally consider the IGA on its consent agenda at an upcoming meeting.

**OTHER ALTERNATIVES**

The council could choose to:

1. Not enter into the IGA and could construct the sewer line at a later date.
2. Direct staff to pursue some other course of action.
3. Direct staff to re-negotiate the IGA to pursue a different allocation of project responsibilities and/or funding.

## **COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS**

Not applicable

## **DATES OF PREVIOUS CONSIDERATION**

This is the first time this agreement has come before council.

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### **Fiscal Impact**

**Cost:** 420,000  
**Budgeted (yes or no):** Yes  
**Where Budgeted (department/program):** 500-Sanitary Sewer

#### **Additional Fiscal Notes:**

The estimated cost of sewer line construction and outside administrative services—as outlined in the IGA—is \$358,000. In addition, up to \$62,000 will be needed to cover city staffing costs (project manager, inspector, etc.). The FY 2014 Budget includes the Dartmouth Street Sewer Repair which is complete and has \$420,000 of unspent appropriations. The remaining appropriations from Dartmouth Street will be used for the IGA to provide sewer service to River Terrace. By moving the appropriations from Dartmouth Street project to the River Terrace project, no additional resources will be necessary to fund the IGA to provide sewer service to River Terrace.

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### **Attachments**

Draft IGA

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**INTERGOVERNMENTAL AGREEMENT  
BETWEEN CITY OF BEAVERTON, CITY OF TIGARD, AND  
CLEAN WATER SERVICES TO CONSTRUCT PHASE 1 OF  
THE SCHOLLS FERRY TRUNK SEWER EXTENSION**

**Draft**

This Agreement, dated \_\_\_\_\_, 2013, is between CLEAN WATER SERVICES (District), a county service district organized under ORS Chapter 451, the CITY OF BEAVERTON (Beaverton), an Oregon Municipality, and the CITY OF TIGARD (Tigard), an Oregon Municipality.

**A. RECITALS**

ORS 190.003 - 190.110 encourages intergovernmental cooperation and authorizes local governments to delegate to each other authority to perform their respective functions as necessary.

District, Tigard, and Beaverton intend to undertake the Scholls Ferry Trunk Sewer Extension Project (Project) to extend gravity sewer from Barrows Road westward along Scholls Ferry Road to the intersection of Roy Rogers Road. This Project has been endorsed by the Capital Improvement Program Prioritization Committee. The Project will be constructed in three phases. This Intergovernmental Agreement covers Phase 1 only. Subsequent phases will be documented under separate Intergovernmental Agreements.

NOW, THEREFORE, the parties agree as follows:

**B. PROJECT DESCRIPTION**

The Phase 1 sanitary sewer improvement consists of constructing approximately 1,792 linear feet of 21-inch diameter sanitary sewer, 565 linear feet of small diameter sanitary sewer (8-inch to 12-inch), 17 manholes and appurtenances on Scholls Ferry Road from Roy Rogers Road to a point 610 feet west of the west curblineline of the Barrows Road Roundabout (Phase 1). Beaverton will design Phase 1. Phase 1 will be constructed by a contractor selected by Washington County LUT (County) to widen Scholls Ferry Road. The County will administer the construction of Phase 1 as part of its Scholls Ferry widening Project from SW Roy Rogers Road to SW Teal Boulevard (Road Project). See Exhibit A attached hereto for the Phase 1 location.

**C. DEFINITIONS**

1. **Capital Improvement Program Prioritization Committee** – This Committee has been established by District and the Member Cities of Beaverton, Cornelius, Forest Grove, Hillsboro, Tigard, Tualatin, and Sherwood.
2. **Beaverton Phase 1 Planning and Design Cost** – Beaverton labor and benefit costs and consultant costs paid by Beaverton associated with services outlined in Section E.1-6.
3. **Phase 1 21-inch Sewer Cost** – 100% of the construction and non-construction costs for the 21-inch sewer main, appurtenances, and manholes on the 21-inch mainline for Phase 1

1 paid by District to County pursuant to the Intergovernmental Agreement between District and County dated \_\_\_\_\_, 2013 (County IGA) and covers County's cost for construction and non-construction services such as survey, Phase 1 construction management and administrative costs.

4. **Beaverton Phase 1 Sewer Cost** – construction and non-construction costs for any 6-inch to 12-inch sewer mains, laterals, appurtenances, and manholes extending northward from the 21-inch sewer main and all manhole adjustments for Phase 1 paid by District to County pursuant to the County IGA.
5. **Tigard Phase 1 Sewer Cost** - construction and non-construction costs for any 6-inch to 12-inch sewer mains, laterals, appurtenances, and manholes extending southward from the 21-inch sewer main paid by District to County pursuant to the County IGA in Phase 1.

#### **D. DISTRICT OBLIGATIONS**

District shall:

1. Provide direction to Beaverton regarding the size of the sewer trunkline and the location of the west terminus for future connection.
2. Review the plans and specifications provided by Beaverton for Phase 1 and provide comments to Beaverton within ten working days of receiving them.
3. Enter into a separate Intergovernmental Agreement with County to administer construction of the Phase 1 improvements.
4. Pay County for construction and non-construction costs as required in the County IGA.
5. Have the right to approve or reject a Beaverton employee selected to serve as District's Project Manager for Phase 1.
6. Have the right to review, approve or reject any proposed design change or Extra Work as defined in the County IGA, or other change to Phase 1.
7. Have the right to provide a list of items to be completed prior to final acceptance of Phase 1.
8. Invoice Beaverton for 16.3% of the Phase 1 21-inch Sewer Cost and 100% of the Beaverton Phase 1 Sewer Cost less 67.4% of the Beaverton Phase 1 Planning and Design Cost upon completion of Phase 1.
9. Invoice Tigard for 16.3% of the Phase 1 21-inch Sewer Cost and 100% of the Tigard Sewer Cost for Phase 1 upon completion of Phase 1.
10. Provide written evidence to Beaverton and Tigard that funds are allocated for the District's share of Phase 1 before construction begins.

## **E. BEAVERTON OBLIGATIONS**

Beaverton shall:

1. Select, contract with and pay consultants to perform a geotechnical investigation, utility locates and environmental assessment for use in designing and obtaining permits for Phase 1. The design plans shall use the County Roadway Survey and design plans as the base document.
2. Provide all planning, design, specifications, permits and inspection for Phase 1.
3. Provide timely reviews and comments on County design documents and timely response to other Phase 1 information requests.
4. Provide Tigard and District at least ten days to review plans and specifications for Phase 1 at 70% and 90% completion, and incorporate review comments into the plans.
5. Provide technical consultation to County during construction as needed.
6. Appoint a Beaverton employee acceptable to District to serve as the District's project manager for Phase 1 and coordinate with County during construction.
7. Obtain District's consent before taking any of the following actions for Phase 1: a) authorizing any design changes, b) approving any change orders, c) authorizing use of contingency line items, or d) resolving any disagreement, dispute, delay or claim.
8. Provide District and Tigard documents that establish the Beaverton Phase 1 Planning and Design Cost.
9. Provide timely responses to bidders' questions about Phase 1. If necessary, provide District and County with an addendum no later than five business days prior to the bid opening for Phase 1.
10. Provide construction inspection of Phase 1 bid items including review and approval of shop drawings, submittals, and onsite inspection to determine compliance with the contract documents. Coordinate onsite inspections of Phase 1 bid items through County's lead inspector. Beaverton's inspector shall be onsite and responsible for enforcing all applicable specifications during all Phase 1 work, including but not limited to night work, accommodations for public traffic and work zone traffic control in coordination with the County's lead inspector. Beaverton shall provide Phase 1 daily reports, erosion reports, field directives, pay notes and quantities to County in a timely manner in County-provided format and coordinate with the County's lead inspector.
11. Provide District written notice that Phase 1 is complete and obtain District's approval for final acceptance of Phase 1 prior to making recommendations to County regarding releasing bonds, or issuing final payment to the contractor.
12. Provide District as-built construction drawings for Phase 1 within 60 days after the Road Project is deemed complete and acceptable to District. The as-built drawings shall be provided in camera-ready hardcopy, 11 x 17 inches with a CD in both pdf and AutoCAD digital format.
13. Coordinate and participate with District on any disagreements, disputes, delays or claims related to or as a result of Phase 1.

14. Pay District 16.3% of the Phase 1 21-inch Sewer Cost and 100% of the Beaverton Phase 1 Sewer Cost less 67.4% of the Beaverton Phase 1 Planning and Design Cost, not to exceed \$325,000 for Beaverton's portion of Phase 1 as defined in this Agreement, within 30 days of approving the invoice. The invoice shall include full progress payment amounts, including typical construction retainage.
15. Invoice Tigard for 16.3% of the Beaverton Phase 1 Planning and Design Cost upon completion of Phase 1 of the Project.
16. Provide written evidence to District and Tigard that funds are allocated for Beaverton's share of Phase 1 before construction begins.
17. Inform the Phase 1 construction contractor in writing of District's right to withhold final acceptance.

## **F. TIGARD OBLIGATIONS**

Tigard shall:

1. Review the plans and specifications provided by Beaverton for Phase 1 and provide comments to Beaverton within ten working days of receiving them.
2. Pay District, 16.3% of the Phase 1 21-inch Sewer Cost and 100% of the Tigard Sewer Cost for Phase 1 as defined in this Agreement, not to exceed \$325,000, within 30 days of approving the invoice. The invoice shall include full progress payment amounts, including typical construction retainage.
3. Pay Beaverton, 16.3% of the Beaverton Phase 1 Planning and Design Cost, not to exceed \$32,600 for Tigard's portion of Phase 1 as defined in this Agreement, within 30 days of approving the invoice.
4. Provide written evidence to District and Beaverton that funds are allocated for Tigard's share of Phase 1 before construction begins.

## **G. GENERAL TERMS**

1. Laws and Regulations. Beaverton, Tigard and District agree to abide by all applicable laws and regulations including their own purchasing rules.
2. Term of this Agreement. This Agreement is effective from the date the last party signs it and shall remain in effect until Phase 1 of the Project is complete and the parties' obligations have been fully performed or this Agreement is terminated as provided herein.
3. Amendment of Agreement. Beaverton, Tigard and District may amend this Agreement from time to time, by mutual written agreement.
  - A. Proposed changes of scope during the Project implementation must be reviewed and endorsed by the Capital Improvement Program Prioritization Committee. Changes necessitated by conditions discovered during design or construction, but

consistent with the original scope of Phase I of the Project, must be approved by District.

- B. During the duration of the Washington County construction contract, all parties to this Agreement will act reasonably and cooperatively to make decisions in a timely fashion to avoid contract change orders/ delay claims and added County Administrative charges.
- 4. Termination. This Agreement may be terminated immediately by mutual written agreement of the parties, or by any of the parties notifying the others in writing prior to award of a construction contract, with the termination being effective in 30 days.
  - 5. Integration. This document constitutes the entire agreement between the parties on the subject matter hereof and supersedes all prior or contemporaneous written or oral understandings, representations or communications of every kind on the subject. No course of dealing between the parties and no usage of trade shall be relevant to supplement any term used in this Agreement. Acceptance or acquiescence in a course of performance rendered under this Agreement shall not be relevant to determine the meaning of this Agreement and no waiver by a party of any right under this Agreement shall prejudice the waiving party's exercise of the right in the future.
  - 6. Indemnification. Within the limits of the Oregon Tort Claims Act, codified at ORS 30.260 through 30.300, each of the parties shall indemnify and defend the others and their officers, employees, agents, and representatives from and against all claims, demands, penalties, and causes of action of any kind or character relating to or arising from this Agreement (including the cost of defense thereof, including attorney fees) in favor of any person on account of personal injury, death, damage to property, or violation of law, which arises out of, or results from, the negligent or other legally culpable acts or omissions of the indemnitor, its employees, agents, contractors or representatives.
  - 7. Resolution of Disputes. If any dispute out of this Agreement cannot be resolved by the project managers from each party, the Beaverton Mayor, Tigard City Manager and District's General Manager will attempt to resolve the issue. If the Beaverton and Tigard Mayors and District's General Manager are not able to resolve the dispute, the parties will submit the matter to mediation, each party paying its own costs and sharing equally in common costs. In the event the dispute is not resolved in mediation, the parties will submit the matter to arbitration. The decision of the arbitrator shall be final, binding and conclusive upon the parties and subject to appeal only as otherwise provided in Oregon law.
  - 8. Interpretation of Agreement.
    - A. This Agreement shall not be construed for or against any party by reason of the authorship or alleged authorship of any provision.
    - B. The paragraph headings contained in this Agreement are for ease of reference only and shall not be used in construing or interpreting this Agreement.



9. Severability/Survival. If any of the provisions contained in this Agreement are held illegal, invalid or unenforceable, the enforceability of the remaining provisions shall not be impaired. All provisions concerning the limitation of liability, indemnity and conflicts of interest shall survive the termination of this Agreement for any cause.
10. Approval Required. This Agreement and all amendments, modifications or waivers of any portion thereof shall not be effective until approved by 1) District's General Manager or the General Manager's designee and when required by applicable District rules, District's Board of Directors 2) Beaverton, and 3) Tigard. Proposed changes of scope must also be approved by the Capital Improvement Program Prioritization Committee.
11. Choice of Law/Venue. This Agreement and all rights, obligations and disputes arising out of the Agreement shall be governed by Oregon law. All disputes and litigation arising out of this Agreement shall be decided by the state courts in Oregon. Venue for all disputes and litigation shall be in Washington County, Oregon.

**CLEAN WATER SERVICES**

By: \_\_\_\_\_  
General Manager or Designee

Date: \_\_\_\_\_

APPROVED AS TO FORM

\_\_\_\_\_  
District Counsel

**CITY OF BEAVERTON, OREGON**

By: \_\_\_\_\_  
Mayor or Designee

Date: \_\_\_\_\_

APPROVED AS TO FORM

\_\_\_\_\_  
City Counsel

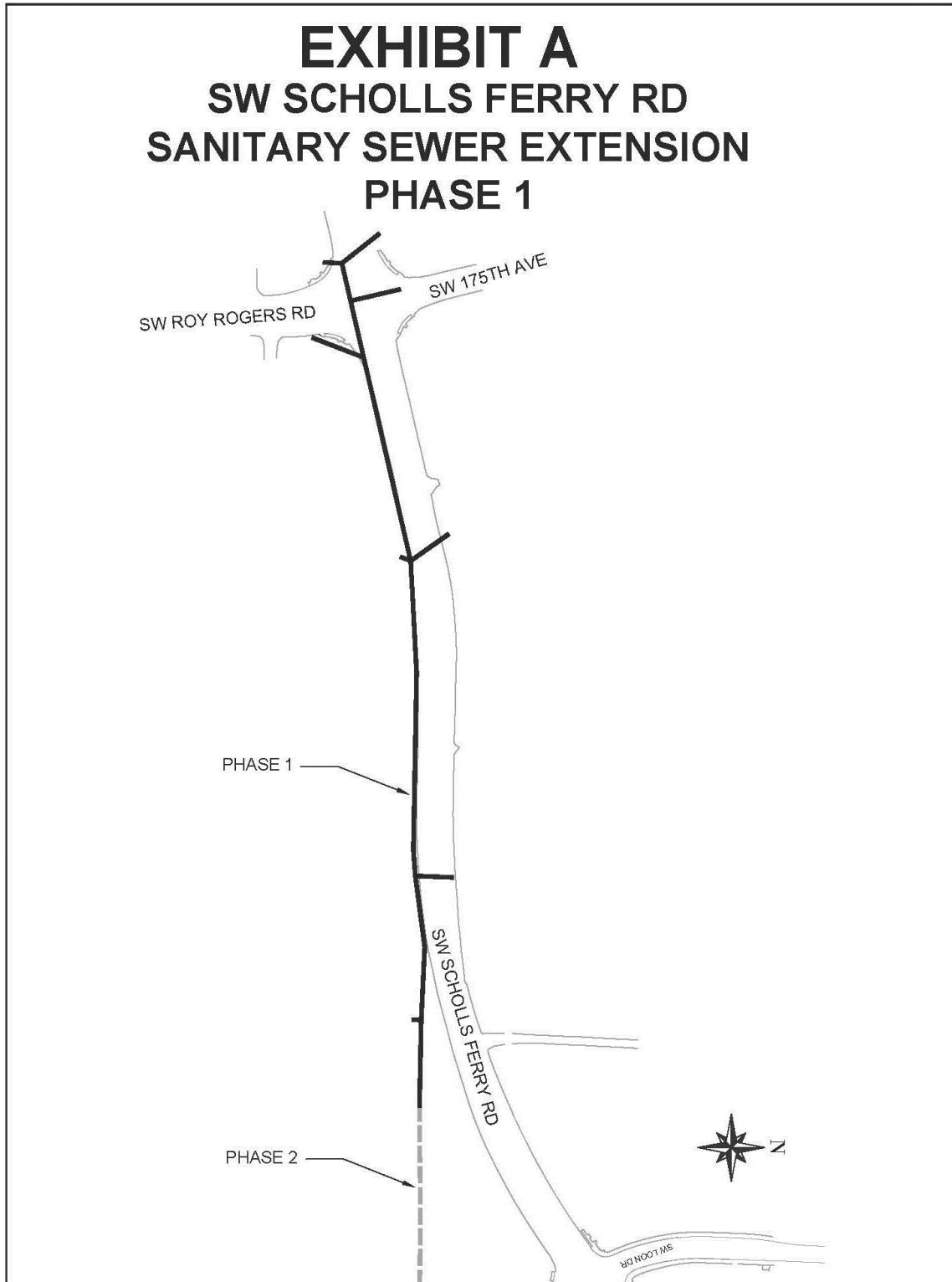
**CITY OF TIGARD**

By: \_\_\_\_\_  
City Manager or Designee

APPROVED AS TO FORM

\_\_\_\_\_  
City Counsel

**Exhibit A**  
**Project Location Map**



AIS-1408

6.

**Workshop Meeting**

**Meeting Date:** 08/20/2013

**Length (in minutes):** 25 Minutes

**Agenda Title:** Discuss Topics for Upcoming Community Survey

**Prepared For:** Liz Newton

**Submitted By:** Liz Newton, City Management

**Item Type:** Update, Discussion, Direct Staff

**Meeting Type:** Council Workshop Mtg.

**Public Hearing:** No

**Publication Date:**

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**Information**

**ISSUE**

Are there topics or subject matters council would like citizen feedback on as part of the upcoming biennial citizen survey?

**STAFF RECOMMENDATION / ACTION REQUEST**

Provide direction to staff on topics/issues that council members would like to include in the upcoming citizen survey.

**KEY FACTS AND INFORMATION SUMMARY**

For the last several years, the city has commissioned a citizen survey to be conducted in the fall of odd numbered years. Funds were budgeted for the current fiscal year to conduct a survey this fall.

The survey is designed to gauge citizens' views on current issues and city services. Prior to engaging a consultant to develop the questions and design the survey instrument, staff asks for council direction on topics and issues to include.

City council discussed ideas for gathering community input at the meeting on January 10, 2013. Minutes of that portion of the meeting are attached along with a one-page summary titled, Council thoughts on Community Engagement, and notes from council's goal setting last January. The executive staff brainstormed possible topics for the upcoming survey last week and their list is also attached.

Staff will work with the consultant to develop questions on the topics and issues that council reaches consensus on. Council will be provided a copy of the survey before it is administered.

**OTHER ALTERNATIVES**

N/A

**COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS**

None

**DATES OF PREVIOUS COUNCIL CONSIDERATION**

No discussions have been held on possible topics/issues for the upcoming survey.

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**Attachments**

11013 council minutes

Council Thoughts on Community Engagement

Today's Strengths Future Wishes

Executive Staff Brainstorming for Citizen Survey



City Manager Wine noted some key activities scheduled for the Council in the near future with regard to the River Terrace Community Plan. One activity has to do with the annexation of two areas. The other activity is the convening of the key stakeholder working group for which Councilor Woodard volunteered to be the Council representative. Ms. Wine said at the staff level, the tasks relating to updating the Master Plan and securing the consultant for a transportation plan update are underway. She said if more reporting is needed on these types of activities, staff can give more updates. In response to a comment from Councilor Buehner, City Manager Wine requested that when people inquire about the status of the River Terrace Community Plan project, they be referred to the project manager, Darren Wyss or to herself. She advised of the communication plan for people interested in this project, which includes sending out letters and maintaining a listserv. She spoke to the importance of maintaining a coordinated communication effort.

Councilor Snider said he heard that Councilor Buehner would like to see more detail on a six-month activities plan for the River Terrace Community Plan.

Council meeting recessed for a few minutes.

### **Gathering Community Input**

Consultant Hertzberg opened the discussion on gathering community input.

Councilor Woodard noted the Council hears from many of the same people much of the time and it Council is only hearing from a fraction of the community. He participated in the National Night Out event and said he found this to be an opportunity to talk to a different crowd of people. He said that when he talks to people in the community, he often finds there is a basic lack of understanding on community issues and noted the need for building awareness. Councilor Buehner noted her past success of walking the neighborhoods and spending time talking to residents about issues.

Councilor Woodard offered that perhaps the Neighborhood Networks could offer a local government seminar. Councilor Snider served on Financing Strategies Task Force where the notion of the community list of wants have a price tag and there is a need to find out how much people are willing to pay for their requests for services. One idea suggested was to place a cafeteria plan on the ballot or a town hall where you allow "one-resident, one-vote" and whoever comes to vote will get to participate in selecting the top funding priorities for the city (over and above basic services).

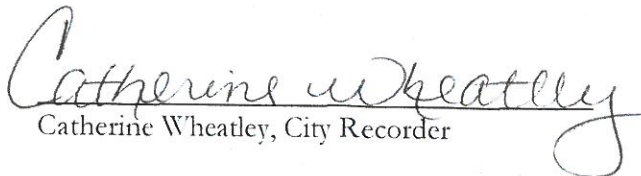
Councilor Buehner talked about a statistically valid survey conducted and noted the outcome on recreation issues. Councilor Woodard again referred to the Neighborhood Networks and how we could use this structure more effectively. Councilor Snider referred to the City of Newport Oregon's practice of dividing the community up into districts and holding meetings within these areas to find out the priorities of the people who live and work in each of the areas.

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## **TIGARD CITY COUNCIL MEETING MINUTES – JANUARY 10, 2013**

Discussion on community engagement was held. An outline of the high points of the discussion is attached (Attachment 2).

Meeting adjourned at 4:46 p.m.

  
Catherine Wheatley, City Recorder

Attest:

  
\_\_\_\_\_  
Mayor, City of Tigard

Date: 2/5/2013

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**TIGARD CITY COUNCIL MEETING MINUTES – JANUARY 10, 2013**

## **Council Thoughts on Community Engagement**

### ***What are our purposes in engaging the community?***

- The city needs public input to make good decisions
- We want to widen the circle of involvement beyond those people we hear from regularly
- It is important to build awareness of city issues and options for the future

### ***What tools and methodologies should we consider?***

- Town Halls
  - ◆ Citywide
  - ◆ Neighborhoods
  - ◆ Elders
- Use existing community networks whenever possible
- Reach out to people where they are: school open houses, football and soccer games, farmers markets, bingo, homeowner associations, Library, etc.
- Engage people in one-on-one conversations; recruit active citizens to engage with others
- Use a variety of tools to gauge public opinion
  - ◆ People-meters at meetings
  - ◆ Statistically-valid surveys
  - ◆ Advisory votes, perhaps offering cafeteria options
  - ◆ New England town meetings
- Neighborhood Network
- Neighborhood blogs
- Use strategic planning process as an opportunity

### Today's Strengths

- Geographic location/easy access.
- Committed staff and City Council: best for the city.
- Parks and natural resources.
- Fiscally responsible.
- Education.
- Volunteer involvement.
- Strong feeling of community.
- Stable population/workforce skilled.
- Transportation network.

### Future Wishes – 25 years

- Connection (between areas of Tigard)
  - Two hearts.
  - Between Triangle and Downtown.
  - Light rail/bus service.
  - Ten minute maximum travel/2-3 modes.
  - Washington County with equal treatment for bus/light rail service – trolley/local bus services.
- Parks and Recreation.
  - District.
  - Schools serve as centers.
  - Stadium (multi-sport) – amateur complex, arena.
  - Tualatin Hills Park and Recreation District model.
  - Recreation center (YMCA).
  - Zip lining as destination.
- Neighborhoods:
  - Sustainable
  - Live, work, play within twenty minutes walking distance.
  - Universal design (built for any age).
  - Vibrant communities.
- Downtown (Examples: Redding, Ashland).
  - Urban, walkable, live, work, shop, play there.
  - Gathering place/common area.
  - Vibrant, evocative/want to go back there.
  - Convention center and amphitheater.
- Revamped property tax system.
  - Stable, secure funding.
- Own Zip Code.
- Long-term water supply.



- Willamette. (Tigard has water rights on the Willamette)
- Owner.
- Reuse (purple pipe). (Use for irrigation and to migrate into Fanno Creek)
- Annexation.
  - All area with in Urban Planning Area.
  - Which directions to grow (new areas beyond).
- Economy-robust!
  - More employment land.
  - Strong employment.
  - All who live here can work here.
  - Retail and high tech/complementary.

## Executive Staff Brainstorming for 2013 Citizen Survey – August 6, 2013

Communications – two way, sources, how, what, who

Understand citizen priorities – broad subjects, current service levels, how would you spend next public dollar, If yes, what? New services? What?

High capacity transit – SW Corridor

LOT water partnership – how are people feeling?

Recreation – are people willing to pay?

Maintaining park lands

Paying for better facilities

Code enforcement

River Terrace – how does it develop, what do we want to see?

Public engagement – have you been involved? In what?

Tell us the important Council issue for next year

Downtown Tigard – have you been downtown? Has it improved?

Public support for development of River Terrace – prioritization of different development opportunities

Better understanding of community support for parks, active transportation, trails, etc.

Four-day work week, Library closure?

Walkability of neighborhoods

Make sure we ask questions that we want the answers to

Strategic plan/nexus/test

**AIS-1404**

**7.**

**Workshop Meeting**

**Meeting Date:** 08/20/2013  
**Length (in minutes):** 20 Minutes  
**Agenda Title:** CCDA Business Meeting  
**Submitted By:** Sean Farrelly, Community Development  
**Item Type:** Resolution

**Meeting Type:** City Center  
Development  
Agency

**Public Hearing** No

**Newspaper Legal Ad Required?:**

**Public Hearing Publication**

**Date in Newspaper:**

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**Information**

**ISSUE**

Consider a resolution awarding a Targeted Improvement Program matching grant to Jeffrey Allen Home Decor.

**STAFF RECOMMENDATION / ACTION REQUEST**

Staff recommends the City Center Development Agency Board approve the resolution awarding a Targeted Improvement Program matching grant for \$75,000 to Jeffrey Allen Home Decor for tenant improvements in the 12460 SW Main Street building as recommended by the Urban Renewal Improvement Projects Joint Committee.

**KEY FACTS AND INFORMATION SUMMARY**

The CCDA approved the Targeted Improvement Program on August 21, 2012. The program offers a 50 percent matching grant (up to \$75,000) to help offset the costs of interior tenant improvements for targeted businesses. On March 5, 2013 the CCDA made its first award to Symposium Café.

Jeffery Allen Home Décor (a business that has been in continuous operation since 2002) purchased 12460 SW Main Street in May 2012. The building had previously been vacant and on the market for approximately two years. Jeffrey Allen's intention was to renovate the building over several months and relocate their business in early 2014 when their lease ran out at their present location at 7925 SW Dartmouth Street. To date the owners have demolished the interior of the building and applied for and received building permits for the proposed tenant improvements.

Representatives of Jeffrey Allen expressed interest in the Targeted Improvement Program and submitted application materials. Jeffrey Allen estimates the cost of their interior and exterior improvements to be \$330,000. Among the proposed improvements eligible for the Targeted Improvement Program matching grant are, architectural skylights; new electrical, plumbing, and HVAC; flooring; sheetrock; and creation of a new mezzanine level. Among the additional planned improvements are new windows, doors, awnings, signage, and lighting (eligible for a Façade Improvement Matching grant) as well as a rear display area (along Burnham) that includes a decorative iron fence, retaining wall, pavers, and a storage building.

On July 16 a representative of Jeffrey Allen met with the Urban Renewal Improvement Projects Joint Committee (made up of two members each of the Board of the City Center Development Agency and the City Center Advisory Commission). Staff and committee members commented that Jeffrey Allen was a unique small business with a strong commitment to good urban design and an ability to attract new types of customers and visitors to Downtown. The business could help "re-brand" Downtown Tigard.

The Joint Committee met again on July 30 to consider the application materials. The Joint Committee rated the

proposal on three evaluation criteria:

1. The proposed business owner/manager's proven track record of success.
2. The potential of the proposed business to significantly enhance Downtown Tigard.
3. Proposed project's financial terms.

The proposal received high marks from the Joint Committee, scoring an average of 94/100 points. The committee judged the owners' experience and business plan to be strong, and recognized the matching grants (Targeted Improvement and Façade Improvement) will leverage more than three times the grant amounts in private investment.

The program guidelines call for the Joint Committee to make a recommendation on a matching grant to the Board of the CCDA for their consideration. A resolution approving the matching grant request is attached. The terms of the grant and conditions will be outlined in the Agency's Letter of Commitment, and grant funds will not be disbursed until the project is completed and inspected by Agency staff.

A copy of the applicant's full application (including business financial information) will be provided to CCDA board members in a separate envelope marked "confidential."

### **OTHER ALTERNATIVES**

The Board of the CCDA could choose to not make an award.

### **COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS**

Council 2012 Goal #3b Downtown

Contact owners of key, structurally sound Main Street buildings with vacancies. Begin cooperative effort to secure tenants that will contribute to the vitality of downtown.

City Center Urban Renewal Plan

### **DATES OF PREVIOUS CONSIDERATION**

March 5, 2013 (CCDA awards TIP grant to Symposium Café)

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#### **Fiscal Impact**

**Cost:** 75,000

**Budgeted (yes or no):** yes

**Where Budgeted (department/program):** CCDA

**Additional Fiscal Notes:**

\$75,000 included in the FY 2013-14 CCDA Budget for the Targeted Improvement Program

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#### **Attachments**

CCDA Resolution

TIP Application

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CITY OF TIGARD, OREGON  
CITY CENTER DEVELOPMENT AGENCY  
RESOLUTION NO. 13-\_\_\_\_

A RESOLUTION AWARDING A TARGETED IMPROVEMENT GRANT TO  
JEFFREY ALLEN HOME DECOR

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WHEREAS, the City Center Development Agency established the Targeted Improvement Program to attract new businesses to revitalize downtown Tigard ; and

WHEREAS, the Targeted Improvement Program offers matching grants for tenant improvements for new targeted businesses; and

WHEREAS, staff and the Urban Renewal Improvement Projects Joint Committee have evaluated Jeffrey Allen Home Decor's application requesting a matching grant for eligible tenant improvements in the vacant 12460 SW Main Street building; and

WHEREAS, the Urban Renewal Improvement Projects Joint Committee found the proposal meets the evaluation criteria and recommended approval to the Board of the City Center Development Agency of the matching grant request of \$75,000.

NOW, THEREFORE, BE IT RESOLVED, by the Tigard City Center Development Agency that:

SECTION 1:           A Targeted Improvement Program matching grant of Seventy-five thousand dollars (\$75,000) is awarded to Jeffrey Allen Home Décor, subject to the terms and conditions to be outlined in the Agency's Letter of Commitment.

SECTION 2:           This resolution is effective immediately upon passage.

PASSED:             This \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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Chair – City of Tigard  
City Center Development Agency

ATTEST:

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Recorder – City of Tigard City Center Development Agency



City of Tigard

COMMUNITY DEVELOPMENT

## Targeted Improvement Program Application

*The City of Tigard/City Center Development Agency (CCDA) reserves the right to approve or reject any application for funding at its sole discretion.*

Project address: 12460 SW Main St.

Proposed business name: JEFFREY ALLEN

Business type: Home interior furniture, accessories and plants

Applicant: ☐ Property owner ☒ Business owner ☐ Other

Property owner(s): \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Business owner(s): Allen T. Lacey

Phone: 503 968-7199 Email: jeffreyalen@frontier.com

Mailing address: 7295 SW Dartmouth

City: Tigard State: OR Zip: 97223

Square footage of the property: 4,000

Describe the proposed scope of improvements: Full interior remodel to include plumbing, electrical and carpentry. Full exterior improvement including facade and grounds.

(add an additional page if necessary)



City of Tigard

COMMUNITY DEVELOPMENT

## Targeted Improvement Program Application

What is your anticipated budget? \$ 165,000

What is the amount of your grant funding request? \$ 75,000

Describe how the proposed project is consistent with Downtown Tigard revitalization goals as defined in Section 2 of the Request for Proposals.

*We are a high quality proven business that will draw customers to the Main Street area. We will offer a beautiful and inviting space for people driving or walking by to experience. We offer a one of a kind home decor shopping destination*

Estimated number of permanent jobs to be created and estimated wages: 4 (\$15-30k/year)

Proposed hours of operation: Monday - Saturday 10am - 6pm

### Additional Material Checklist:

1. Photographs of the unimproved space.
2. Scale drawings of proposed improvements (do not have to be architectural drawings at this stage).
3. Business prospectus that includes:
  - i. A business plan summary; projected sales including products or services to be offered; branding concept; target customer profile; expenditure per customer; length of visit per customer ; and a description of how proposed business distinguishes itself from the competition.
  - ii. Business startup requirements.
  - iii. List of financial assets, funding sources and uses, financial pro forma with 10-year operating projections.
  - iv. Résumés of business owners and/or operators.
4. Statement of past business experience of owners and/or operators that includes:
  - i. Resumes of business owners and/or operators
  - ii. For the business(es) that the owner and/or operator has owned and/or operated in the past three years, include:
    - a. Profit and loss statements for the past three years
    - b. Summary of any litigation in which the business or its owners and/or operators (named in their capacity as owner/operator) has been named as a defendant in a lawsuit at any time on or after January 1, 2010, including the name(s) of the plaintiff(s), the court where the action was filed, the case number, the nature of the case and the current status of the action.



## City of Tigard

COMMUNITY DEVELOPMENT

# Targeted Improvement Program Application

c. If the business experience is related to food/beverage service, provide a summary of any adverse action taken against the business, or penalty or fine imposed on the business, by any county health department or the O.L.C.C. on or after January 1, 2010, including the nature of the action, a summary of the allegations giving rise to the action and a summary of the outcome of the action, including the amount of any penalty or fine.

5. Copy of Letter of Intent to Lease or Option to Purchase Agreement.

NOTE: All information submitted by proposers shall be public records and subject to disclosure pursuant to the Oregon Public Records Act (ORS 192.410 et seq.), except such portions for which proposer requests exception from disclosure consistent with Oregon law. Any portion of a submittal (such as the business prospectus) that the proposer claims constitutes a "trade secret" or is "confidential" must meet the requirements of ORS 192.501(2) and ORS 192.502(4). Applicant must clearly identify such material, by marking it "CONFIDENTIAL," and provide separate notice in writing of the status of this material to the official contact.

### Property Owner Participation

THE UNDERSIGNED CERTIFIES THAT THEY ARE THE OWNER OF THE PROPERTY IDENTIFIED ABOVE AND THAT THEY ARE WILLING TO PARTICIPATE IN THE TARGETED IMPROVEMENT PROGRAM.

☐ N/A (Mark N/A if property owner is the applicant)

Printed name of property owner: PETER LEONIS

Signature: [Signature]

Date: 7/20/13

### Certification by Applicant:

THE UNDERSIGNED CERTIFIES THAT THE INFORMATION PROVIDED HEREIN IS TRUE AND ACCURATE.

Printed name of applicant: Allen T. Wacey

Signature: [Signature]

Date: 7/21/2013



### 3. Business Prospectus

#### i. Business Plan Summary

Jeffrey Allen LLC (dba Jeffrey Allen Home and Garden) has been in continuous operation since 2002 providing home décor furniture, accessories, plants and orchids as well as design services to the community. We have been leasing space in the Tigard Triangle Shopping Center since August of 2004. We are very pleased to have the opportunity to purchase the space on main street to provide us with a permanent home.

#### Projected Sales

##### Products and Services to be offered

- Asian furniture and accessories, antique Buddhist statuary, indoor and outdoor pottery, unique plants and orchids.

##### Branding Concept

- Our logo is a lotus blossom floating on an asian fan. It is featured on our business card, price tags and website.

##### Target Customer profile

- Homeowners in the Tigard, Lake Oswego, SW Portland and greater Portland metro area

##### Average expenditure per customer

- Varies greatly depending on products and services required. Some customers purchase smaller items such as orchids and accent pieces (\$100 or less). Others make major purchase to update there entire homes and businesses (\$5000 or more).

##### Length of visit

- Typically one hour or less

##### Distinguishing ourselves from the competition

- Jeffrey Allen is truly a one of a kind shopping destination. Many Items sold in our store cannot be found anywhere else. We provide a relaxed yet sophisticated gallery atmosphere.

#### ii. Business Startup Requirements

- We are currently in operation so requirements would be minimal. Some local adevertising and Grand Opening signage for the new location.

#### iii. List of Financial Assets

- One company vehicle (Honda Odyssey)
- 3 computers and 2 flat screen televisions for display of completed projects

#### Iv. Resume of Business Owner

- Allen Luong has a masters degree from Oregon State University. He has previously worked in education for Portland Public Schools and has been a small business owner in the Portland area for more than 13 years.

#### 4. Statement of past business experience

- Jeffrey Allen LLC began as a home based design and installation business in 1998. The first store front location was in Northwest Portland which was maintained from 2002 until 2004. We expanded to a space more than four times larger which allowed us to showcase a much larger inventory of both interior and exterior items.

##### a. Profit and loss statements

- See attached tax documents

##### b. Summary of any litigation

None

##### c. Food and beverage experience

Not applicable

## **INTERIOR REMODELING**

1. General Construction	\$62,000
Footing	
Framing	
Sheetrock	
2. HVAC--Mechanical	28,000
3. Architectural skylight	22,000
4. Electrical	20,000
Lighting	
Track lights	
Security	
5. Plumbing	10,000
Appliances	
Fixtures	
6. Flooring	13,000
7. Store Fixtures	20,000
TOTAL	\$175,000

## **EXTERIOR REMODELING**

1. Excavation	\$20,000
Retaining wall	
Iron fence	
2. Exterior Awnings	55,000
Main St.	
Burnham	
3. Exterior Window	20,000
4. Signage	15,000
Lighting	
Signs	
5. Storage	25,000
6. Outdoor Pottery & Plants	10,000
7. Pavers	10,000
TOTAL	\$155,000



TENANT / OWNER : JEFFREY AHEEN  
 HOME DECOR  
 7925 SW PARTMOUTH ST  
 PORTLAND OR 97223  
 GENERAL CONTRACTOR : VIET PHAN  
 250 NE 160TH AVE.  
 PORTLAND OR 97230  
 TEL: 503.706.8345  
 CCB: 186139  
 ARCHITECT : TODD SLOAN ARCHITECT  
 UNION STATION SUITE 203  
 PORTLAND OR 97209  
 TEL: 503.226.5323  
 LIC#: 2508  
 STRUCTURAL ENG : SHERMAN ENGINEERING  
 351 NE SANDY BLVD  
 PORTLAND OR 97232  
 TEL: 503.230.8896  
 OCCUPANCY : "M" - 1/2 F, "B" - 3/4 F  
 CONGT. TYPE : V-B  
 PROJECT AREA : 4/F: 4004 SF, 2/F: 687 SF  
 EXIST. AVAILABLE : 2 REAR HAVE 3  
 EGRESS LIGHTING : FLUOR. ON BATTERY BACKUP  
 LONGEST TRAVEL DIST : 75 FEET

## SCOPE OF WORK

NEW OWNER BUILDOUT: SCOPE INCLUDES  
 A BUILDOUT OF THE ENTIRE 3830 SF PLUS  
 THE ADDITION OF A 2/F MEZZANINE FOR  
 OFFICE, REST AREA, LOADING, LIGHT RE-  
 PAIR, CLEANING OF SALES PRODUCT FOR  
 SALE, NEW RESTROOMS AND SMALL KITCHEN  
 ADDED TO MAIN FLOOR, ACCESS TO ROOF VIA  
 PULL DOWN STAIR W/ (E) ROOF HATCH.

## DEFERRED SUBMITTALS

ELECTRICAL DESIGN IN GENERAL DISPLAY AREA  
 MECHANICAL SYSTEMS  
 FIRE ALARMS, SECURITY  
 AMINING DESIGN  
 SPRINKLE PLANS (IF REQ'D)

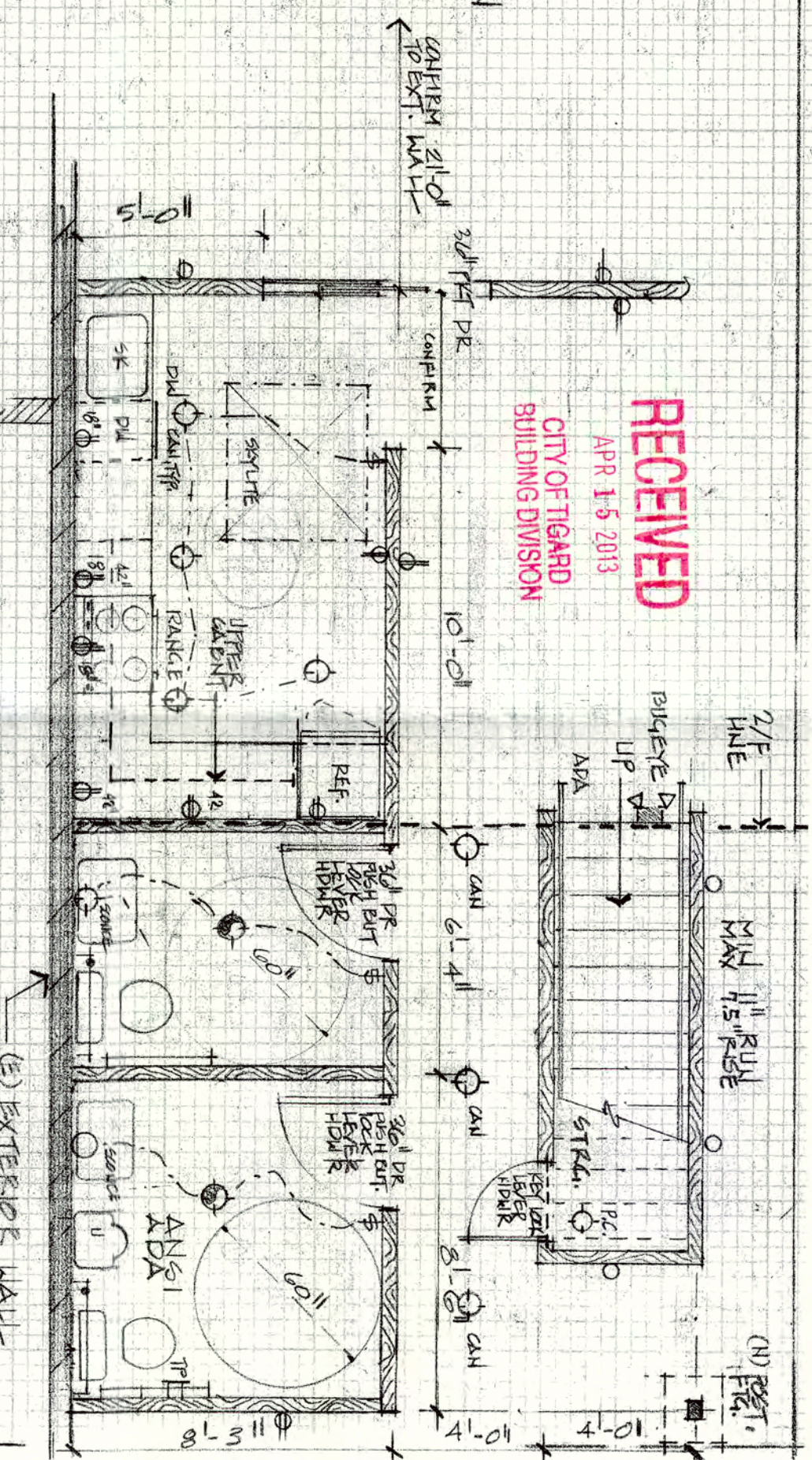
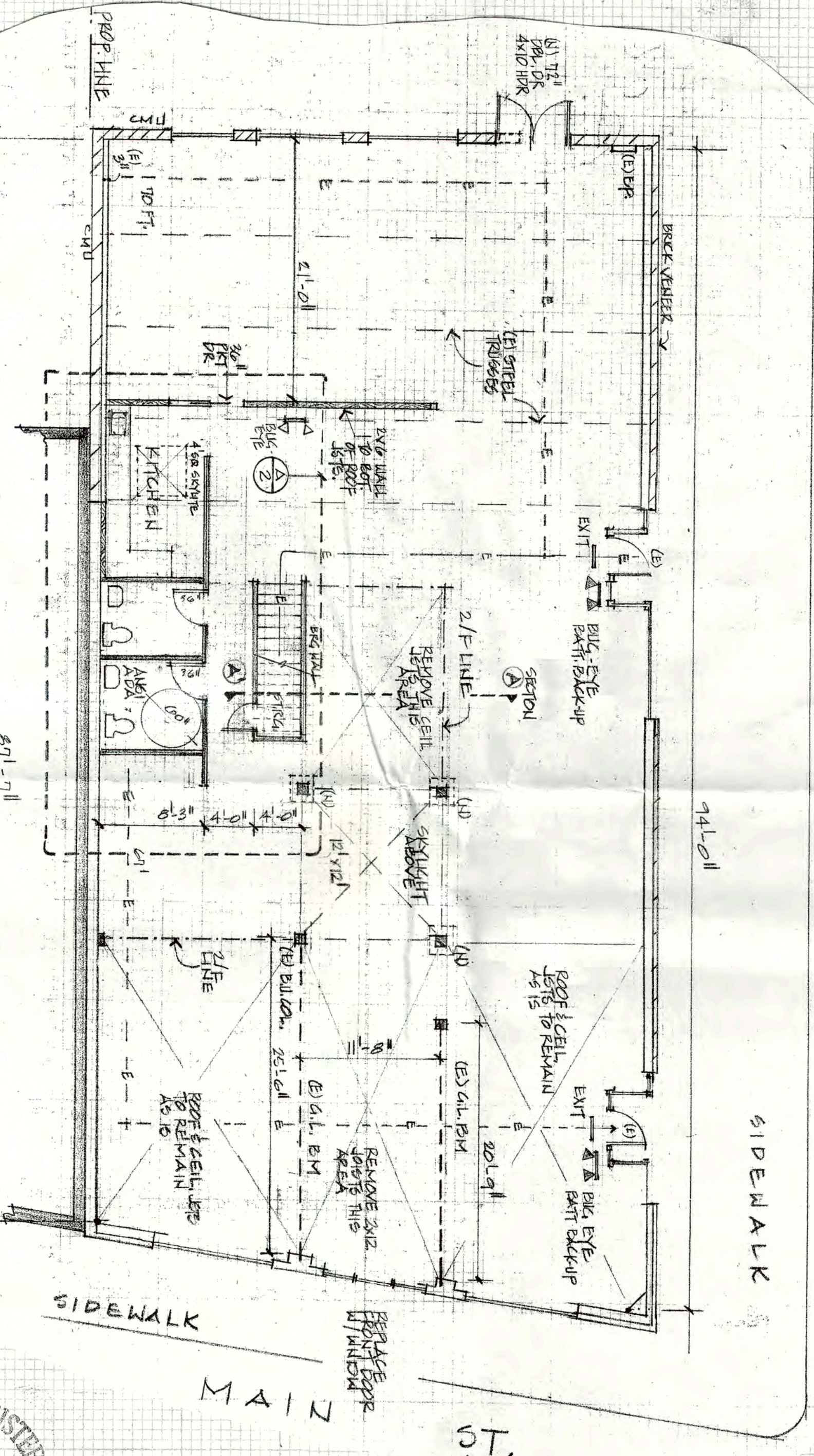
## DOOR SCHEDULE

ON PLANT. W/ HARDWARE DTL.

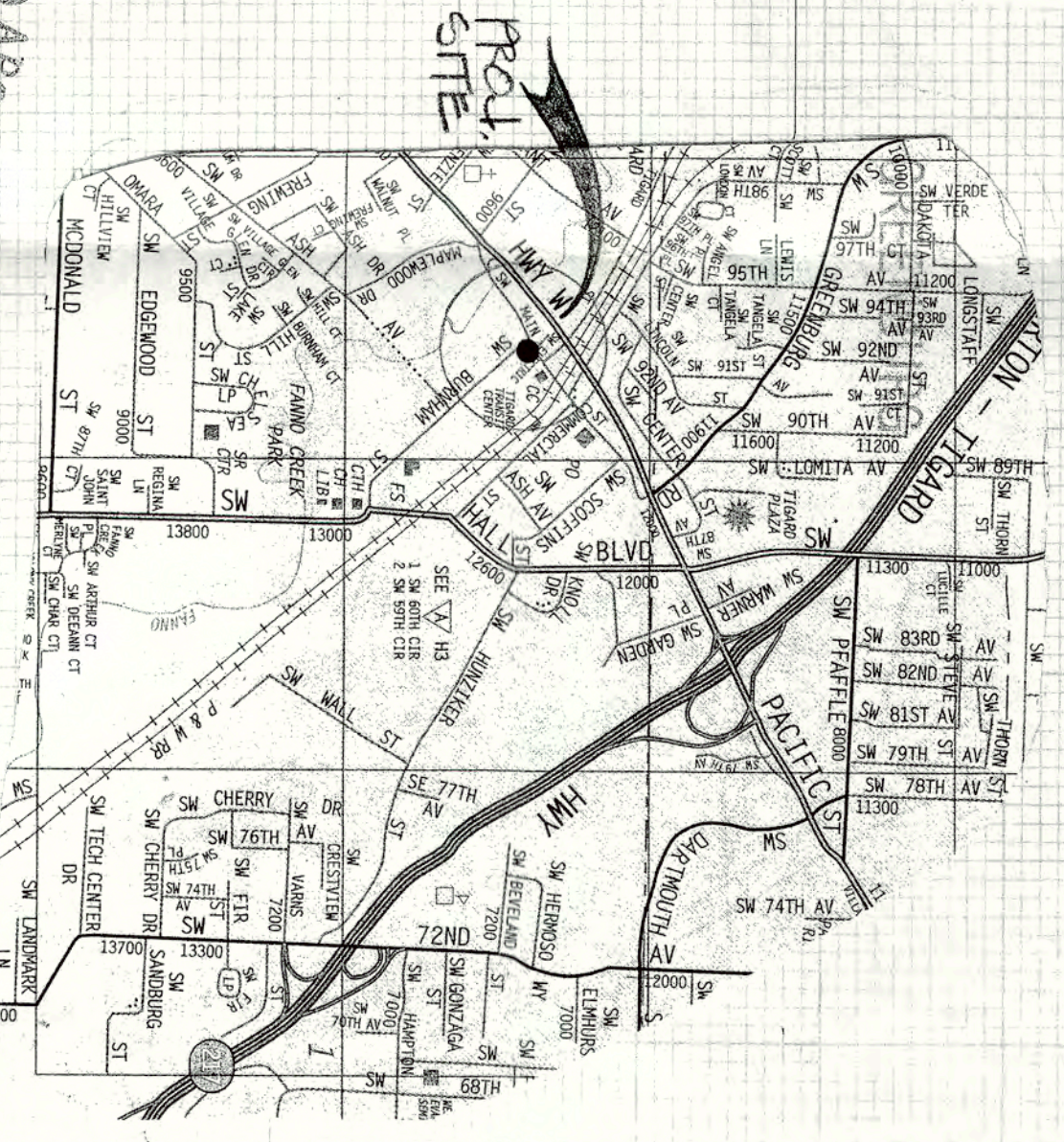
BURHAM ST.

SIDEWALK

94'-0" 11



OCCUPANCY LOAD  
 M - 60 SF/OCCUPANT  
 4/F = 4004 SF = 67 PERSONS  
 B - 100 SF/OCCUPANT = 7 PERSONS  
 3/4 F = 628 SF = 7 PERSONS

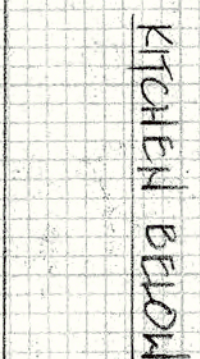
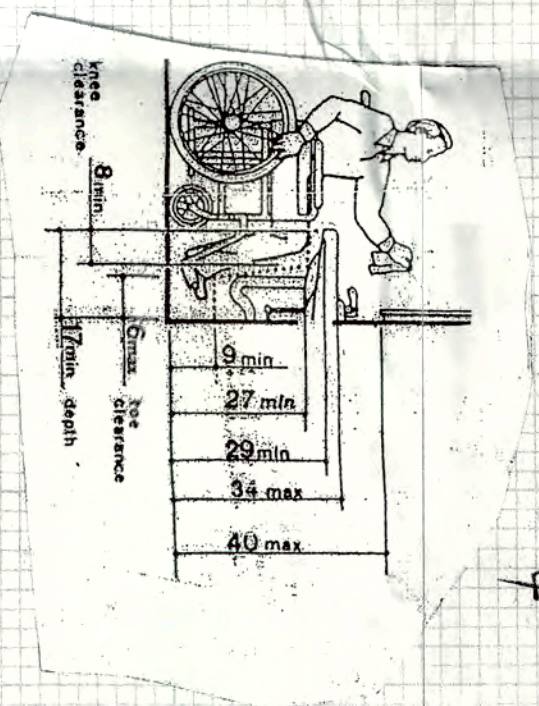
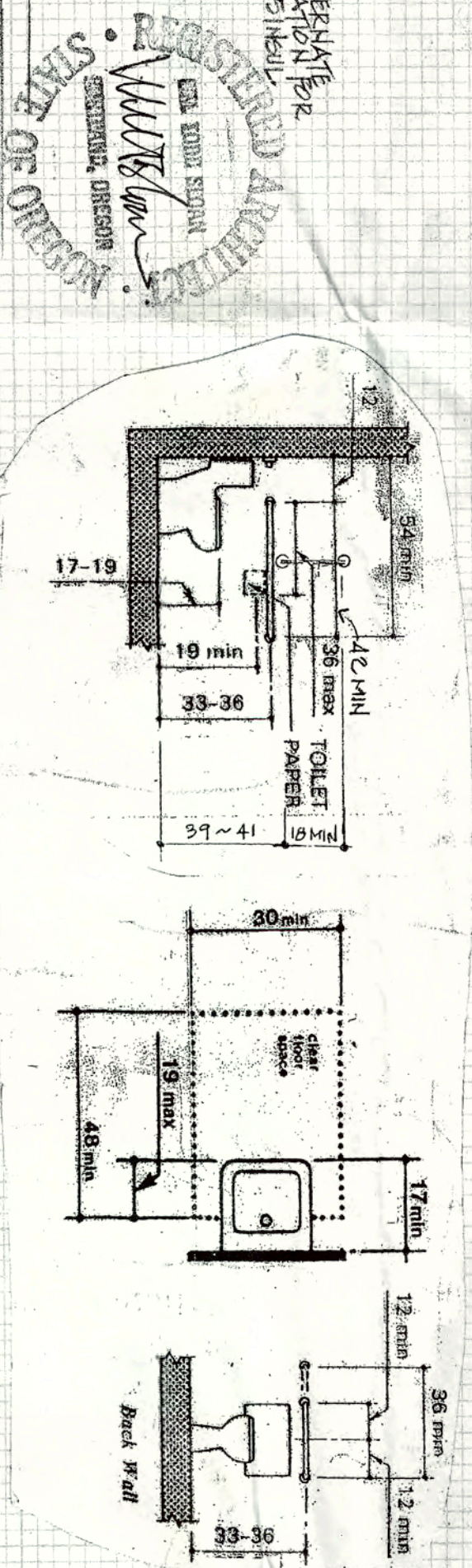


REVISED 3-25-13








$$\frac{1}{4} = 0.25$$


# RECURSIVE INDICATOR

SECTION X OFFICE 1

ANSI / ADA RESTROOM DTLs.

REMOVED 3-25-13

PAGE 2 OF THREE

ТННРАДІД ПО ДІТНІНН



JEFFREY ALLEN

ORCHIDS

ARTIFACTS

ASIAN DECOR

12460

SPEED  
20







JEFFREY ALLEN

ASIAN DECOR ARTIFACTS ORCHIDS

STOP